

U.S.A. vs HARRY RODRIGUEZ

No. 08CR1122-JLS

The Court finds excludable delay, under the section indicated by check ( ☒ ),  
commenced on 4-29-08 and ended on \_\_\_\_\_; ( \_\_\_\_\_ )  
and ended on 7-18-08. (X7,X7)

- 3161(h)  
(1)(A) Exam or hrg for **mental or physical incapacity**  
(1)(B) **NARA examination** (28:2902)  
(1)(D) State or Federal trials or **other charges pending**  
(1)(E) **Interlocutory appeals**  
(1)(F) **Pretrial motions** (from flg to hrg or other prompt dispo)  
(1)(G) **Transfers from other district** (per FRCrP 20, 21 & 40)  
(1)(J) **Proceedings under advisement** not to exceed thirty days  
\_\_\_\_ Misc proc: Parole or prob rev, deportation, **extradition**  
(1)(H) **Transportation** from another district or to/from examination  
or hospitalization in ten days or less  
☒ (1)(I) Consideration by Court of **proposed plea agreement**  
(2) **Prosecution deferred** by mutual agreement  
(3)(A)(B) **Unavailability of defendant or essential witness**  
(4) Period of **mental or physical incompetence** of defendant to  
stand trial  
(5) Period of **NARA commitment or treatment**  
(6) **Superseding indictment and/or new charges**  
(7) **Defendant awaiting trial of co-defendant** when no severance  
has been granted  
(8)(A)(B) **Continuances** granted per (h)(8)-use "T" alone if more than  
one of the reasons below are given in support of continuance  
(8)(B)(I) 1) Failure to grant a **continuance** in the proceeding  
would result in a **miscarriage of justice** and  
the ends of justice outweigh the best interest  
of the public and the defendant in a speedy trial.  
(Continuance - miscarriage of justice)  
2) Failure to grant a **continuance** of the trial would result in  
a miscarriage of justice as the defendant has tendered a  
guilty plea to a magistrate judge and is awaiting a  
determination as to whether the plea will be accepted.  
(Continuance - tendered a guilty plea)  
(8)(B)(ii) 2) **Case unusual or complex**  
(8)(B)(iii) 3) **Indictment** following arrest **cannot be filed** in thirty (30) days  
(8)(B)(iv) 4) **Continuance** granted in order to obtain or substitute counsel,  
or give reasonable time to prepare  
(Continuance re counsel)  
3161(I) Time up to **withdrawal of guilty plea**  
3161(b) **Grand jury indictment time extended** thirty (30) more days

Date 4/29/08

DMH  
Judge's Initials

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